

TABLE OF CONTENTS

1.0 Introduction	1
1.1 National Environmental Policy Act.....	2
1.2 Environmental Report.....	3
1.3 Relationship of ER to the PER.....	4
1.4 Public Involvement	5
1.5 RD/Rural Utilities Service's Decision	6
1.6 Project Changes Subsequent to Approval.....	7
1.7 Sources of Information	8
 2.0 FORMAT OF THE ENVIRONMENTAL REPORT	 9
2.1 Level of Detail.....	9
2.2 Maps.....	9
2.3 Format of the Environmental Report.....	9
 3.0 ENVIRONMENTAL INFORMATION AND REQUIREMENTS.....	 9
3.1 Land Use	9
3.2 Floodplains.....	9
3.3 Wetlands.....	9
3.4 Cultural Resources	9
3.5 Biological Resources.....	9
3.6 Water Quality Issues.....	9
3.7 Coastal Resources.....	9
3.8 Socio-economic Issues/ Environmental Justice.....	9
3.9 Miscellaneous Issues.....	9
 4.0 AGENCY RESPONSE	 9
4.1 Reaction to Agency Comments	9
 5.0 PUBLIC NOTICES	 9
5.1 Categorical Exclusion.....	9
5.2 Environmental Assessment	9
5.3 Notifying the Public.....	9
5.4 Environmental Justice	9
 6.0 Exhibit A - Agency Correspondence for Information Gathering	 9
7.0 Exhibit B - Sample Public Notices	9
8.0 Exhibit C - Mitigation.....	9
9.0 Exhibit D - Regulations, Statutes, and Executive Orders.....	9
10.0 Exhibit E - Example of the Table of Contents for an Environmental Report.....	9
11.0 Exhibit F - Regulatory Compliance Flowcharts.....	9
12.0 Exhibit G - Clean Water Act, Section 404 Permits.....	9
Attachment A.....	9

1.0 INTRODUCTION

One arm of the USDA is a funding agency called Rural Development (RD) that works with rural communities and rural housing. Under RD's umbrella is the Rural Utilities Service (RUS). Under RUS there are water and environmental programs (WEP) telecommunications and electric programs. This supplement only applies to the WEP projects in Nebraska. All of RUS's programs are described at www.rurdev.usda.gov/rus/.

USDA-RD published its environmental requirements in FmHA Instruction 1940-G and 7CFR Part 1794. The content of these Instructions is derived from requirements contained in major environmental laws and regulations such as the Council on Environmental Quality Regulations, Farm Protection Policy Act, USDA Departmental Regulation 9500-3, Land Use Policy, Endangered Species Act, etc. RUS programs follow 7 CFR Part 1794. The RUS National Office has created a Bulletin (1794-602A) to help program participants understand and execute the environmental requirements. This Bulletin can be found on the World Wide Web at www.usda.gov/rus/water/ees/index.htm.

This supplement was created by the Nebraska State Office of USDA-RD to help execute the RUS Bulletin 1794-602A. This supplement outlines policy unique in the State of Nebraska. It also identifies whom to contact for environmental information. It includes some samples of public notices.

This supplement and Bulletin 1794-602A should be the only things needed to prepare an Environmental Report for the USDA-RD in Nebraska.

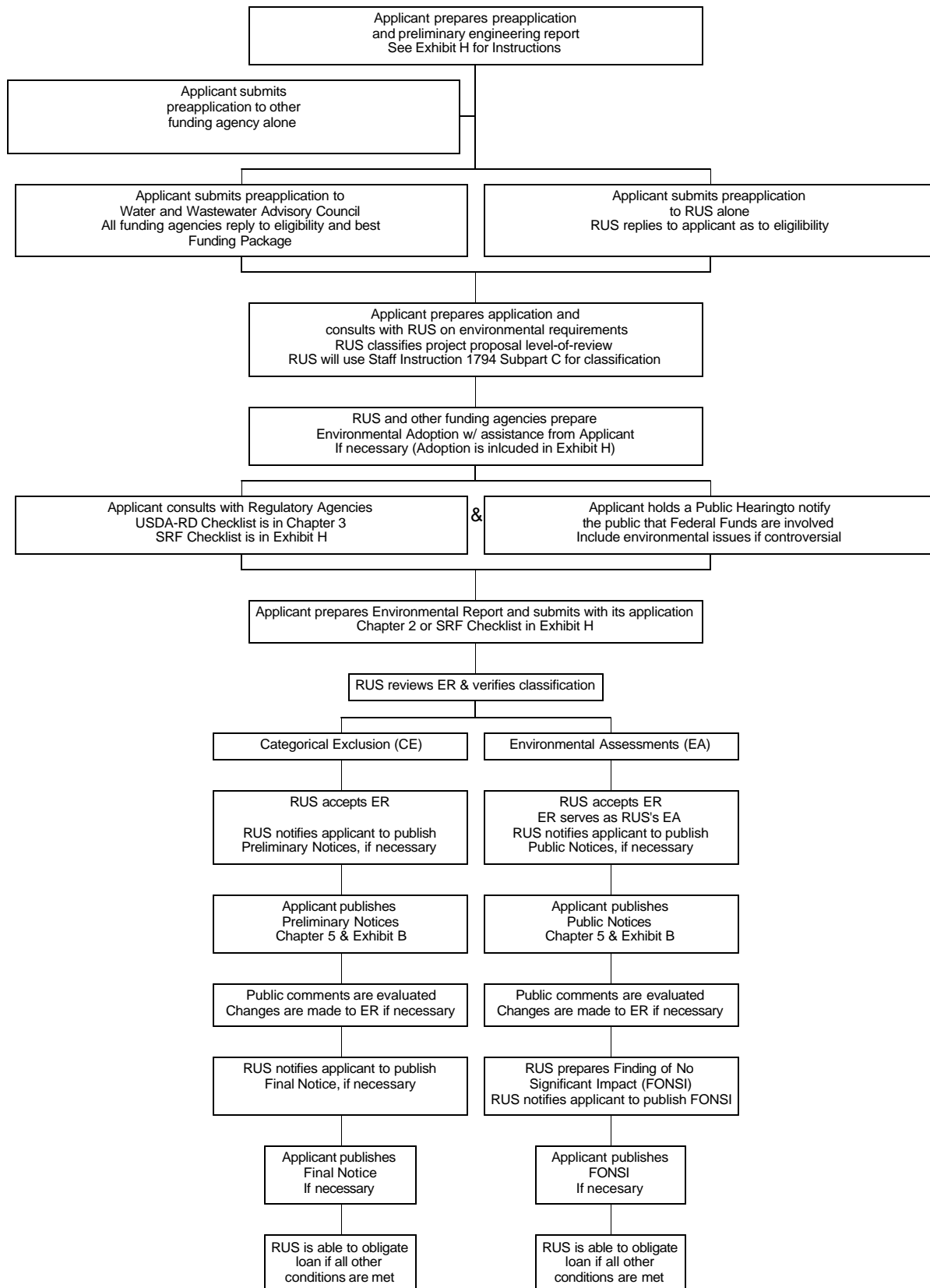
Page 4 of Bulletin 1794A-602 shows a chronological chart of environmental procedure. This has been expanded including steps unique to Nebraska and a hint to adopting other EA's seamless. That chart is included as Figure 1.1 on the following page.

1.1 National Environmental Policy Act

The State of Nebraska has eliminated the intergovernmental review system for projects subject to Executive Order 12372. Present procedures to satisfy the requirement are by notifying the regulatory agencies directly.

1.2 Environmental Report

No Additions

Figure 1.1 Environmental Flow Chart

1.3 Relationship of ER to the Preliminary Engineering Report

The Nebraska Department of Environmental Quality and Nebraska Department of Health and Human Services run the Nebraska State Revolving Funds (SRF). The Nebraska Department of Economic Development runs the Community Development- Block Grant Program (CDBG). The USDA-RD runs the Rural Utilities Service (RUS). Together they have put together a common preapplication process. As a result, the PER is done before the ER and typically does not refer to an ER. The ER can and should refer to the PER to minimize duplication. The ER should still stand-alone.

1.4 Public Involvement

The SRF, CDBG and RUS programs require public hearings to inform the community that federal money may be involved in a project. Including an opportunity to discuss environmental issues at that meeting is necessary. This helps keep the environmental review early in the process. RUS will accept a public hearing done for any of the other agencies for public involvement.

1.5 RD/Rural Utilities Service's Decision

No Additions

1.6 Project Changes Subsequent to Approval

No Additions

1.7 Sources of Information

The USDA-RD State Environmental Coordinator responsible to review environmental documentation is:

Martin Norton
Federal Building; Room 158
100 Centennial Mall North
Lincoln, NE 68508
Voice: (402) 437-5560 Fax: (402) 437-5408
E-mail: marty.norton@ne.usda.gov

Another source of help can be downloaded at www.rdirm.usda.gov/simb/. It is called "RUS 7 CFR 1794 Environmental Electronic Help". It is an executable software package that references all the laws and regulations that are included in the RUS environmental process.

2.0 FORMAT OF THE ENVIRONMENTAL REPORT

Due to the working relationship of RUS and SRF, another report format may be used. This would be the standard SRF Format found in Exhibit H-2.

2.1 Level of Detail

No Additions

2.2 Maps

No Additions

2.3 Format of Environmental Report

No Additions

3.0 ENVIRONMENTAL INFORMATION AND REQUIREMENTS

The Table on page 16 of the Bulletin 1794-602A has been clarified for the State of Nebraska and is included below as Table 3.1

Table 3.1 Environmental Consultation Contacts

Environmental Information Summary			
Section	Environmental Resource	Primary Contact	Secondary Contact
3.1	Land Use		
3.1.1	General Land Use	Local Community	County/ NRD
3.1.2	Important Farmland, Prime Rangeland and Forest Land	NRCS, USFWS	
3.1.3	Formally Classified Lands	National Park Service, Nebraska Game and Park Commission	USACE
3.2	Floodplains	NDNR, FEMA maps	NRCS, USACE
3.3	Wetlands	NRCS, USACE	
3.4	Cultural Resources	SHPO, THPO	Local Historical Groups
3.5	Biological Resources	Nebraska Game and Parks Commission	USFWS
3.6	Water Quality	NA – the State Agencies involved are contacted in the WWAC process	
3.7	Coastal Resources	NA	
3.8	Socio-Economic/ Environmental Justice	Census Bureau, Local Postmaster	
3.9	Miscellaneous Issues		
3.9.1	Air Quality	DEQ	
3.9.2	Transportation	FAA, NDOR	County Roads, Owner of the Water Body
3.9.3	Noise	Project Engineer	

NDNR - Nebraska Department of Natural Resources

3.1 Land Use**3.1.1 General Land Use**

In Nebraska local communities and counties are given the responsibility for zoning. Zoning maps or letters from the municipality/county should be included identifying any zoning issues that need to be mitigated. County information can be found at:

<http://www.naco.org/counties/counties/>

The State of Nebraska plans the use of natural resources including groundwater and surface water through the Department of Natural Resources which controls the Natural Resource Districts. The NRD's can create Special Management Areas and should be contacted. A map showing the project area is not in a Special Management Area will be accepted in lieu of this. A map showing the NRD's in Nebraska and contact information can be found at:

<http://www.nacdnet.org/resources/NE.htm>

3.1.2 Important Farmland, Prime Forest Land and Prime Rangeland

The NRCS in Nebraska is working at putting soil survey information on the web but has not completed the project at the date of publication. The county soil survey lists what soil types are considered important farmland, prime forestland and prime rangeland. Comparing this to soil survey maps will determine if this resource will be affected. If not, a copy of the map and research done will suffice to meet this requirement. If affected, a letter must be written to the State Conservationist/Forest Ranger:

State Conservationist
Natural Resource Conservation Service
Room 152, Federal Building
100 Centennial Mall North
Lincoln, NE 68508-3866
Phone - 402-437-5300
Mr. Steve Chick

And

A list of Forest Rangers can be found at:

<http://www.fs.fed.us/r2/nebraska/index.htm>

3.1.3 Formally Classified Lands

Formally classified lands are lands designated by Federal, Tribal and State Governments for special purposes. These would include Parks, Monuments, Historic Trails, Hatcheries, etc. If a project is adjacent or can be seen from these formally classified lands, the Agency should be contacted for comments.

National Parks and Monuments and Landmarks are one sub-category of formally classified lands. The locations of these resources in Nebraska are listed in Attachment C. Contacts are as follows:

National Park Service
Midwest Regional Office
1709 Jackson Street
Omaha, NE 68102
General Information: 402-221-3471

National Natural Landmarks

Phone - 402-221-3418

Mr. Mike Gallagher

National Landmarks

Phone - 402-221-3426

There are three national trails that cross Nebraska in inventory. The locations of these trails are shown in Attachment D. The contacts are:

Lewis & Clark National Historic Trail

National Park Service

Midwest Regional Office

1709 Jackson St.

Omaha, NE 68102

Phone - 402-221-3478

Mr. Richard Williams

Mormon Pioneer National Historic Trail

National Park Service

Long Distance Trails

324 South State Street, Suite 250

Salt Lake City, UT 84145-0155

Phone 801-539-4094

Jere Krakow

Oregon National Historic Trail

National Park Service

Long Distance Trails

324 South State Street, Suite 250

Salt Lake City, UT 84145-0155

Phone - 801-539-4094

Jere Krakow

State Parks, Fisheries, and Wildlife Areas are another sub-category. USDA RD shall consult with the Nebraska Game and Parks Commission to determine the appropriate protection or ways to mitigate potential adverse impacts. This is typically done jointly with the consultation for endangered species.

Nebraska Game and Parks Commission
2200 North 33rd Street
Lincoln, NE 68503
Phone - 402-471-0641

Any project located on or adjacent to Native American owned lands and leases administered by the Bureau of Indian Affairs (BIA) should contact the tribe and BIA.

Projects shall be examined for conformance to the Wild and Scenic Rivers Act. A determination of whether the proposal would invade the river area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area is required. Consultation shall be initiated when the proposal; (1) would be located within one-quarter mile of the banks of the river, (2) involves withdrawing water from the river or discharging water to the river via a point source, or (3) would be visible from the river. Their location is designated in Attachment B.

National Park Service
Midwest Regional Office (for minor questions)
1709 Jackson Street
Omaha, NE 68102
Phone - 402-221-3350

Or

National Park Service
510 West Wisconsin Ave. Rm. 100E
Milwaukee WI 53205
Phone - 414-297-3605
Ms. Angie Tornes

3.2 Floodplains

Projects shall be examined for conformance to Executive Order 11988, Floodplain Management, Executive Order 11990, Protection of Wetlands, and Departmental Regulation 9500-3, Land Use Policy. A determination of whether the project will cause changes in the natural values and functions of the wetlands or floodplains is required. Where it is determined that there will be an effect on a floodplain or wetland, Departmental Regulation 9500-3, Land Use Policy, requires public notification both prior to and following the assessment of alternatives, and mitigation measures.

Flood Insurance Rate Maps (FIRM) or Flood Hazard Boundary Maps can be obtained from the Federal Emergency Management Administration (FEMA) by calling their toll free number 800-358-9616. Flood Hazard Boundary Maps may also be examined at the local USDA Rural Development office. If the project is located near of in the floodplain according to those maps the following agency can provide assistance in analyzing flood hazards and restrictions in floodplains:

Nebraska Department of Natural Resources
301 Centennial Mall South
P. O. Box 94876
Lincoln, NE 68509-4876
Phone - 402-471-3934
Mr. Bill Jones

If no FIRM map exists, an evaluation can be done using the soil survey and soil descriptions. All floodplains are made up of hydric soils. Hydric soils can be found at <http://www.statlab.iastate.edu/soils/hydric/ne.html>.

For activities that would result in the discharge of dredged or fill materials in floodplains or wetlands, consult with:

U.S. Army Corps of Engineers
Regulatory Branch
215 North 17th Street
P. O. Box 5
Omaha, NE 68101-0005
Phone - 402-221-4125 - information

The following agencies can provide assistance in analyzing wetlands:

State Conservationist
Natural Resource Conservation Service
Room 152, Federal Building
100 Centennial Mall North
Lincoln, NE 68508-3866
Phone - 402-437-5300

For permits and for counties along the Missouri River from Cedar to Richardson County and for Lancaster County:

U.S. Army Corps of Engineers
8901 South 154th Street
Omaha, NE 68138-3621
Phone 402-896-0723
Mr. Mike Rabbe

For the remainder of the state, contact:

U.S. Army Corps of Engineers
1430 Central Ave.
Kearney, NE 68847
Phone 308-234-1409
Mr. Keith Tillotson

3.3 Wetlands

There are numerous wetlands of importance to waterfowl throughout the state and early consultation with appropriate experts is necessary to determine the potential for adverse impacts. Due to the many similarities with floodplains evaluation and consultation of wetlands should happen with floodplains. See above.

3.4 Cultural Resources

USDA-RD will identify any properties that are listed in, or may be eligible for, listing in the National Register of Historic Places and are located within the project's area of potential environmental impacts. Consultations will be undertaken with the State Historic Preservation Officer (SHPO) and Tribal Historic Preservation Officers (THPO) and tribes, in order to determine the most appropriate course of action for protecting such identified properties or mitigating potential adverse impacts to them.

Deputy State Historic Preservation Officer
State Historical Society
1500 "R" Street, Box 82554
Lincoln, NE 68501-2554
Phone - 402-471-3270

The SHPO has put a web site together showing the properties that are on the National Register of Historic Places. That website can be used as a preliminary review, but will not be sufficient in itself to determine properties that are eligible: www.nebraskahistory.org/histprers/nebraska/index.htm

There are two THPO's with area in Nebraska. They should be consulted by letter just as the other 21 tribes mentioned below. If a project is in their area contact:

Sebastian (Bronco) LeBeau
Cheyenne River Sioux Tribe
PO Box 590
Eagle Butte, SD 57625

Tim Mentz
Standing Rock Sioux Tribe
PO Box D
Fort Yates, ND 58538

There are 23 tribes that at one time or another considered parts of Nebraska home. These tribes should also be consulted, since they may have cultural resources that the SHPO is unaware of. By entering the State and County in the following web page. The National Park Service database will be searched for the tribes that need to be contacted at <http://web.cast.uark.edu/other/nps/nacd/>. The consultation letter should give them 30 days to comment.

More detailed information may be needed after the initial consultations. It can be found at www.cr.nps.gov or by calling the State Environmental Coordinator.

3.5 Biological Resources

USDA-RD needs to evaluate if a project is likely to do two things. Jeopardize the continued existence of any plant or wildlife species listed by the Secretary of Interior or Commerce, or State of Nebraska as endangered or threatened. Destroy or adversely modify the critical habitats listed by the Secretary of Interior or Commerce, or State of Nebraska. USDA-RD can be granted an exemption for such proposal by either the Endangered Species Committee pursuant to paragraph (h) of Section 7 of the Federal Endangered Species Act of 1973 or the Nebraska Nongame and Endangered Species Conservation Act of 1975. For each project USDA-RD needs to consult with:

U.S. Fish and Wildlife Service
Federal Building
203 West 2nd Street
Grand Island, NE 68801-5907
Phone - 308-382-6468
Mr. Wally Jobman (Ext. 16)

And

Nebraska Game and Parks Commission
2200 North 33rd Street
Lincoln, NE 68503
Phone - 402-471-0641
Mr. Robert Harms

Checking a series of publications or website of the Nebraska Game and Parks Commission can do preliminary determination of potentially affected species or habitat. The publications are called Nebraska's Threatened and Endangered Species and the website is www.ngpc.state.ne.us/wildlife/ngthreat.html. A copy of the publications can be reviewed at the local USDA-RD office.

3.6 Water Quality Issues

Projects having withdrawals and/or effluent discharges shall be examined for conformance with the Clean Water Act, the Safe Drinking Water Act and the Federal Water Pollution Control Act. This is normally done in the Common Preapplication process. The Nebraska Department of Health and Human Services (NHHS) and the Nebraska Department of Environmental Quality (NDEQ) have a chance to comment. Any comments will be passed on to the applicant. If the project does not come through the common preapplication process the following consultations are necessary.

Nebraska Health & Human Services (HHS)
Department of Regulation & Licensure
Division of Public Health Assessment
301 Centennial Mall South
P.O. Box 95007
Lincoln, NE 68509-5007
Phone: 402-471-2541

And

Division of Waste Water Facilities
Nebraska Department of Environmental Quality
1200 "N" Street, Suite 400
P. O. Box 98922
Lincoln, NE 68509-8922
Phone - 402-471-2186

For facilities that result in the disposal of solid waste consult with:

Division of Integrated Waste Management
Nebraska Department of Environmental Quality
1200 "N" Street, Suite 400
P. O. Box 98922
Lincoln, NE 68509-8922
Phone - 402-471-2186

3.7 Coastal Resources N/A in Nebraska

3.8 Socio-economic Issues/ Environmental Justice

USDA-RD has to address two issues. The first is to identify any adverse human health or quality of life effects. These would be obvious like odors from lagoons. The second issue would be would the location of the project proportionately affect low income and minority populations more. This second issue is usually addressed by getting the ethnic breakdown of a community from the census www.census.gov and showing there are so few minorities that they can not be concentrated in one part of town. Another approach is to have the local postmaster review the project and identify if a pocket of a minority population will experience a disproportionately high level of adverse affect. Typically in communities under 500 it is difficult to concentrate the adverse affects. The USDA-RD staff will complete the forms necessary to meet the RUS regulations.

3.9 Miscellaneous Issues

3.9.1 Air Quality

Projects that affect air quality need to consult with the State regulatory agency. An example would be solid waste disposal through combustion. If an operation may need an air emission permit the State must be notified.

Division of Air Quality Compliance
Nebraska Department of Environmental Quality
1200 "N" Street, Suite 400
P. O. Box 98922
Lincoln, NE 68509-8922
Phone - 402-471-2186

3.9.2 Transportation

If a substantial increase in traffic will be generated from a project, this impact will need to be evaluated. An example would be a project converting lagoons into a mechanical wastewater plant on a county road or a landfill. Typical mitigation would be the need for stop signs or traffic lights at busy corners. Traffic may also need to be diverted around residential areas.

If a project is near an airport there are height restrictions based on Federal Aviation Administration regulations. The Nebraska Department of Aeronautics does not provide planning review. County zoning, if it exists, will also need to be contacted. The FAA will need to be contacted for structures taller than a 100:1 glide slope or over 100 feet tall within 3 miles of the airport. For general questions contact Brenda Mumper at FAA at (816) 329 2524 or mail in form 7460-1 (which is found at www.faa.gov/arp/ace/faaforms.htm).

3.9.3 Noise

If a project results in a substantial increase in noise and is near residential neighborhoods evaluation will be required. The State USDA-RD office has the HUD "Noise Guidebook" for that evaluation. Examples would include auxiliary power at well sites. Another aspect of noise pollution is designing aeration pumps to be as quiet as possible and provide the operators with proper hearing protection.

4.0 AGENCY CORRESPONDENCE

When cofunding with SRF, there is a sample consultation letter as Exhibit A.7.

5.0 PUBLIC NOTICES

5.1 Categorical Exclusions

If cofunding with SRF or CDBG, then see 5.2 for changes to assist in cleanly adopting each others work.

5.2 Environmental Assessments

When cofunding with SRF there is an additional Notice that must be placed in the paper notifying interested parties of a public hearing. This is a mandatory 30 or 45 day period that must be documented. The Environmental Assessment Notice period is the same for USDA-RD and SRF. The Review Period for the FONSI will also be extended to 30 days. Contact SRF about this requirement.

When cofunding with CDBG the Standard EA Notice and Preliminary Notice can not be included together. See Exhibit B.5 for sample Notices and the correct time periods. Also in Exhibit B.5 are instructions on when to extend the FONSI publishing period.

5.3 Notifying the Public

No Additions

5.4 Environmental Justice

No Additions